

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )

Digital Broadcast Copy Protection )

MB Docket 02-230

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REPLY COMMENTS OF THE AMERICAN SOCIETY OF COMPOSERS, AUTHORS AND  
PUBLISHERS AND BROADCAST MUSIC, INC.

The American Society of Composers, Authors and Publishers (ASCAP) and Broadcast Music, Inc. (BMI) submit these reply comments in connection with the Commission's Notice of Proposed rulemaking, FCC 02-231 (Aug. 9, 2002) in this proceeding.

ASCAP and BMI joined with other representatives of creators and copyright owners in filing initial comments. Joint comments of Motion Picture Association of America, Inc. et al. (December 6, 2002). In that filing, we said:

ASCAP and BMI were not involved in the determination of the proper technical means to protect television content as described in these Joint Comments. They support the suggestions of the owners of copyrighted program content set forth in these Joint Comments as to the technical means to achieve such protection. (at. 4)

Our statement applied to the technical means for protection of audio-visual works, and not to audio-only works. We have reviewed the Comments of the National Music Publishers Association (October 30, 2002), and agree with their concerns as to the effect of a standard of protection on non-audio-visual works, in particular musical works.

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Therefore, 1) we support the Reply Comments of the Motion Picture Association of America, Inc., et al., being filed contemporaneously with this filing, as to the necessity for the protection of copyrighted television content against unauthorized distribution through the Internet and otherwise, but without reference to or endorsement of the technical means of protection referenced in that filing; and 2) we support the Reply Comments of the National Music Publishers Association, also being filed contemporaneously with this filing.

Respectfully submitted,

AMERICAN SOCIETY OF COMPOSERS,  
AUTHORS AND PUBLISHERS

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